

SEARCH WARRANT

Commonwealth of Virginia

VA CODE §§ 19.2-56, 19.2-57

TO ANY AUTHORIZED OFFICER:

You are hereby commanded in the name of the Commonwealth to forthwith search the following place, person or thing either in day or night

Lynchburg General Hospital, 1901 Tate Springs Rd, Lynchburg, VA

for the following property, objects and/or persons:

-All electronic and paper patient records and charting for a Jonathan J. Warner DOB [REDACTED], as it pertains to his being a patient at the hospital on January 10th and 11th, 2016. - All video surveillance, to include any needed downloads, or DVR equipment to include HDD hard drives of that media from their security office), that would be pertinent to observing Jonathan J. Warner DOB [REDACTED], while in the Lynchburg General Hospital emergency room, emergency room lobby or parking lot on the dates of January 10th and 11th, 2016.

You are further commanded to seize said property, persons, and/or objects if they be found and to produce before the Lynchburg Circuit Court an inventory of all property, persons, and/or objects seized.

This SEARCH WARRANT is issued in relation to an offense substantially described as follows:
Malicious Wounding, VA Code 18.2-51

I, the undersigned, have found probable cause and believe that the property or person constitutes evidence of the crime identified herein or tends to show that the person(s) named or described herein has committed or is committing a crime and further that the search should be made, based on the statements in the attached affidavit sworn to by

Det. Miller, R. G.

NAME OF AFFIANT

A Copy, Teste

Eugene C. Wingfield, Clerk

By

01/11/2016 12:42 PM

DATE AND TIME

[] CLERK [X] MAGISTRATE [] JUDGE

Deputy Clerk

Case 6:18-cv-00064-EMD Document 9-1 Filed 09/20/18 Page 1 of 3 Pageid#: 45

FILE NO.

SEARCH WARRANT

COMMONWEALTH OF VIRGINIA

v./In re

1901 Tate Springs Rd

Lynchburg, VA

FILED IN THE CLERK'S OFFICE OF THE CIRCUIT
COURT OF THE CITY OF LYNCHBURG

DATE 1-12-16 TIME 3:22P M
TESTE EUGENE C WINGFIELD, CLERK

BY

Dep. Clerk



AFFIDAVIT FOR SEARCH WARRANT

Commonwealth of Virginia VA CODE & 19.2-54

The undersigned Applicant states under oath:

1. A search is requested in relation to an offense substantially described as follows:

Malicious Wounding (Va Code 18.2-51)

☐ CONTINUED ON ATTACHED SHEET

2. The place, person or thing to be searched is described as follows:

Lynchburg General Hospital, 1901 Tate Springs Rd, Lynchburg, VA

☐ CONTINUED ON ATTACHED SHEET

3. The things or persons to be searched for are described as follows:

- all electronic and paper patient records and charting for a Jonathan J. Warner dob [REDACTED], as it pertains to his being a patient at the hospital on January 10th and 11th, 2016.
- all video surveillance (to include any needed downloads, or DVR equipment to include HDD hard drives of that media from their security office), that would be pertinent to observing Jonathan J. Warner dob [REDACTED], while in the Lynchburg General Hospital emergency room, emergency room lobby or parking lot on the dates of January 10th and 11th, 2016.

☐ CONTINUED ON ATTACHED SHEET

(OVER)

FILE NO.

AFFIDAVIT FOR SEARCH WARRANT

APPLICANT:

R. G. Miller

NAME

Detective

TITLE (IF ANY)

805 Court St,

ADDRESS

Lynchburg, Va. 24504

Certified to Clerk of

Lynchburg

Circuit Court

CITY OR COUNTY

on

11/11/16

DATE

Magistrate

TITLE

Kenneth H. Lee

SIGNATURE

Original Delivered

☐

in person

☐

by certified mail

☐

by electronically transmitted facsimile

☐

by use of filing/security procedures defined in the Uniform Electronic Transactions Act

to Clerk of

Circuit Court

CITY OR COUNTY WHERE EXECUTED

on

DATE

TITLE

SIGNATURE

Complete only if different than above:

Copy delivered

☐

in person

☐

by certified mail

☐

by electronically transmitted facsimile

☐

by use of filing/security procedures defined in the Uniform Electronic Transactions Act

to Clerk of

Circuit Court

CITY OR COUNTY OF ISSUANCE

on

DATE

TITLE

SIGNATURE

4. The material facts constituting probable cause that the search should be made are:

On January 10, 2016, at approximately 2130 hours, Jonathan J. Warner dob [REDACTED] arrived at the Lynchburg General Hospital emergency room and was being seen for a psychiatric evaluation. Then on January 11, 2016, at approximately 0415 hours, Warner was transferred across the driveway to the Psychiatric Emergency Center, Dillard Building, Lynchburg General Hospital. Upon arriving there, Warner was filling out some documentation at the center. He became increasingly more agitated and then attacked Lieutenant Wesley Gillespie (Centra Security). During the scuffle he unsuccessfully attempted to disarm Lieutenant Gillespie of his firearm, however he was able to disarm Lieutenant Gillespie of his taser. Warner then fired the taser, nearly missing Officer Jason Bryan (Centra Security). The probes hit a wall within the center. He then charged at Officer Bryan and struck him with the activated taser in his left shoulder causing a minor injury. He then ran through the center. Lieutenant Gillespie then shot Warner several times.

5. The object, thing or person searched for constitutes evidence of the commission of such offense.

6. ☒ I have personal knowledge of the facts set forth in this affidavit OR

7. ☐ I was advised of the facts set forth in this affidavit in whole or in part, by person whose credibility or the reliability of the information may be determined from the following facts:

Lynchburg Police Officers, Detectives and Witnesses will testify in a court of law to the above mentioned facts.

The statements above are true and accurate to the best of my knowledge and belief.

Detective

TITLE OF APPLICANT (IF ANY)

Subscribed and sworn to before me this day.

01/11/16

DATE AND TIME

12:37 pm
~~1240 hrs~~
(Kite)

[Signature]

APPLICANT

[Signature]

☐ CLERK

☒ MAGISTRATE

☐ JUDGE